

EXHIBIT A: PROPOSED FORM OF NOTICE

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**IN RE: NEW ENGLAND
COMPOUNDING PHARMACY, INC.
PRODUCTS LIABILITY LITIGATION**

MDL No. 1:13-md-2419-FDS

This Document Relates To:

All Actions

NOTICE IS HEREBY GIVEN that on June 12, 2013, in the case of *In Re: New England Compounding Pharmacy Products Liability Litigation*, Court Case Number 13 md 02419 FDS (Lead Case), the United States District Court for the District of Massachusetts entered an Order, directing any party to this case, or any interested third party, to appear and show cause why partial relief from the terms of a Preservation Order (Docket No. 110, docketed in *Erkan v. New England Compounding Pharmacy*, Civil Action No. 12 12052 FDS) barring the disposal or destruction of certain property that is or was in the possession of New England Compounding Pharmacy should not be granted.

If the requested relief is granted, property subject to the Preservation Order may be recovered or re-let by its owners, moved, relocated, sold or otherwise disposed of by the Chapter 11 Trustee and, therefore, may be unavailable for future examination, testing, or other evidentiary use. The property that may be disposed of is identified on the attached schedule (the "Subject Property"). Additionally requests may be made in the future by the Trustee to dispose of other real and tangible property, whether leased or owned, that the Chapter 11 Trustee hereafter determines should be relocated or disposed of.

This Notice is intended to advise potentially interested parties that the United States is presently conducting an investigation into events or activities that may have occurred on or involving the Subject Property. This investigation is ongoing, but could potentially result in pursuit of the full array of remedies available to the United States under civil, administrative, or criminal law. Any individual or entity who has an interest in, or wishes to make a claim for, the continued preservation for testing, evidentiary, or related purposes of any of the Subject Property, or any other property that is located on the Premises that may be removed, relocated, sold or otherwise disposed of, is hereby advised that they must file a written request (a "Preservation Request") NO LATER THAN July 18, 2013, specifying what Subject Property, or any other property, they wish

retained under the Preservation Order, so that the Preservation Request may be determined by the Court. Any such Preservation Request must be filed with the Clerk of Court for the United States District Court for the District of Massachusetts, in case Number 13 md 02419 FDS (Lead Case).